

Remarks

The above Amendments and these Remarks are in reply to the outstanding Office Action in the above-identified patent application. Claims 1, 3-20, 22-29, 31-40 and 47-50 are currently pending. Claims 2 and 21 have been cancelled and claims 1, 3-4, 6-9, 20 and 22-25 have been amended to expedite prosecution and amend dependencies.

Claims 1-29, 31-40 and 47-50 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-63 of copending Application No. 09/797099. A terminal disclaimer is concurrently filed. Therefore, the withdrawal of the rejection of claims 1, 3-20, 22-29, 31-40 and 47-50 on the ground of nonstatutory obviousness-type double patenting is respectfully requested.

Claims 2-9, 12 and 21-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if a terminal disclaimer is filed. In order to expedite prosecution, independent claim 1 has been amended to include the limitations of previous claim 2 and independent claim 20 has been amended to include the limitations of previous claim 21. Claims 10, 11, 13-20 and 26-28 depend from claims 1 and 20 and are likewise patentable.

Claims 1, 10, 11, 13-20 and 26-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0221106 (the ‘106 publication) (*Perego, et al.*) in view of U.S. Patent No. 5,513,135 (*Dell, et al.*).

Based on the above Amendments and these Remarks, reconsideration of claims 1, 3-20, 22-29, 31-40 and 47-50 is respectfully requested.

Should the Examiner have any questions with regard to the instant response, the Examiner is respectfully requested to contact the undersigned attorney.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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